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AUSTIN - TEXAS

May 24, 1955

PRESS MEMORANDUM

OFFICE OF THE GOVERNOR

The Governor has vetoed Senate Bill 161, by Fly, which would require persons bringing into the State less than 30 gallons of motor fuel to pay the state motor fuel tax if such fuel is used for propelling a vehicle used for commercial purposes; and providing that a tax lien for failure of a distributor to pay the motor fuel tax would not be valid against a mortgagee who did not receive proper notice of such lien.

The bill was vetoed because it was held unconstitutional in an opinion from the Attorney General, dated May 23, 1955. The opinion stated that Section 4 of Senate Bill 161 contravenes Section 36 of Article III of the Constitution. (This constitutional provision states that no bill can be amended by reference to its title, but must be re-enacted and published at length).